



Australian Government

Civil Aviation Safety Authority

Instrument number CASA 84/20

I, WARREN CRAIG MARTIN, Executive Manager, Regulatory Oversight, a delegate of CASA, having taken into account relevant considerations relating to the safe carriage of dangerous goods on an aircraft, make this instrument under section 23 of the *Civil Aviation Act 1988*.

[Signed C. Martin]

Craig Martin

Executive Manager, Regulatory Oversight

22 December 2020

CASA 84/20 — Dangerous Goods (Explosive Trace Detection Equipment on Commercial Flights) Permission 2020

1 Name

This instrument is *CASA 84/20 — Dangerous Goods (Explosive Trace Detection Equipment on Commercial Flights) Permission 2020*.

2 Duration

This instrument:

- (a) commences on the day after it is registered; and
- (b) is repealed at the end of 31 December 2023.

3 Repeal of instrument CASA 50/20

Instrument *CASA 50/20 — Dangerous Goods (Explosive Trace Detection Equipment on Commercial Flights) Permission 2020* is repealed.

4 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: *AOC*, *Australian territory*, *checked baggage* and *registered*.

In this instrument:

accountable person, in relation to a relevant Australian aircraft, means each of the owner, operator, hirer and pilot of the aircraft.

adverse reaction means any of the following:

- (a) release of hazardous chemical fumes;
- (b) dangerous evolution of heat;
- (c) an explosive, toxic or otherwise dangerous reaction.

compatible, in relation to a material and dangerous goods, means the material and dangerous goods will not react with each other to cause an adverse reaction.

dangerous goods has the meaning given by subsection 23 (3) of the Act.

dangerous goods accident has the meaning given by subregulation 92.010 (1) of CASR.

dangerous goods incident has the meaning given by subregulation 92.010 (1) of CASR.

LEA officer means any of the following:

- (a) a member of the Defence Force, as defined in the *Defence Act 1903*, authorised to carry permitted dangerous goods in the course of the member's duties;
- (b) a person defined as a "law enforcement officer", within the meaning of that term in section 3 of the *Crimes Act 1914*.

LEA procedures means procedures of the law enforcement agency of an LEA officer that describe how LEA officers of the agency must pack permitted dangerous goods for air transport.

liquid full, in relation to a device, means filled so that ullage is not present in the device.

permeation device means a capsule containing a chemical compound in a 2-phase equilibrium between its gas phase and its liquid, or solid, phase.

permitted dangerous goods means explosive trace detection equipment that is classified as "UN 2911 Radioactive material, excepted package – articles" and contains a permeation device.

radioactive material warning label means a label that is the same as Figure 5 – 33 in the Technical Instructions, as it exists at the time this instrument commences.

relevant Australian aircraft means a registered aircraft that is operated by the holder of an AOC.

Technical Instructions has the meaning given by subregulation 92.010 (1) of CASR.

UN, followed by a 4-digit number, has the meaning given by regulation 92.170 of CASR.

5 Permissions

- (1) For paragraphs 23 (2) (b) and (2A) (b) of the Act, an LEA officer is permitted to carry permitted dangerous goods as checked baggage on board a relevant Australian aircraft for a flight within Australian territory.
- (2) For paragraphs 23 (1) (b), (2) (b) and (2A) (b) of the Act, the accountable person for a relevant Australian aircraft is permitted to carry permitted dangerous goods, which have been checked in under subsection (1), in the cabin of the relevant Australian aircraft for a flight within Australian territory.
- (3) The permission in subsection (1) is subject to the conditions stated for an LEA officer in sections 6 and 8.
- (4) The permission in subsection (2) is subject to the following conditions:
 - (a) for an operator — the conditions stated in sections 7 and 8;

Note The conditions in section 8 apply to an operator as an accountable person.